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TO: MAIL STOP AMENDMENT

FIRM/COMPANY: USPTO, Group Art Unit 3742

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CONFIRMATION
TELEPHONE:
FROM: Ruth Der, Paralegal

DIRECT DIAL: 415.371.2231

DATE: August 12, 2005

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FILE NUMBER: Atty. Docket No. R0367-01601, Serial No. 10/658,911

TOTAL # OF PAGES: 5
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MESSAGE: Attached are *Information Disclosure Statement* inclusive of *Form PTO-1449*.

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AUG 12 2005

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.

Examiner: Joseph M. Pelham

Group Art Unit: 3742

For: **TISSUE SITE MARKERS FOR IN VIVO
IMAGING**


Serial No.: 10/658,911

TRANSMITTAL

Filed: September 10, 2003

Atty. Docket No.: R0367-01601

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this these papers are being sent by facsimile to (571) 273-8300, addressed to Mail Stop Amendment, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 12, 2005, in San Francisco, CA.
By: 

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application are the following:

X Information Disclosure Statement; and
X Form PTO-1449.

2. Payment of Fees Due

X Applicants believe that there is no fee due; however, should the Commissioner find otherwise, the Commissioner is authorized to charge the required fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-01601. A duplicate copy of this transmittal is enclosed for this purpose.

Respectfully,

By: 

Edward J. Lynch
Registration No. 24,422
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**INFORMATION DISCLOSURE
STATEMENT****CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8**I hereby certify that this paper is being deposited via Facsimile at (571) 273-8300 and is addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 12, 2005 in San Francisco, CABy: Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to bring to the attention of the Patent Office the references listed on the attached PTO-1449 form and request that they be considered by the Examiner. Each item of information contained in the Information Disclosure Statement was cited in the Form PTO-892 from the U.S. Patent Office in a related application not more than three months prior to the filing of this Statement.

Applicants believe that there is no fee due; however, should the Commissioner find otherwise, the commissioner is authorized to charge any fees due and to credit any overpayment of fees associated with this communication which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-01601.

Respectfully submitted,

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AUG 12 2005

<p>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</p> <p>INFORMATION DISCLOSURE STATEMENT</p> <p>UNDER 37 CFR §1.56, §1.97, and §1.98</p> <p>PTO-1449 FORM</p> <p>SHEET 1 OF 1</p>	<p>ATTORNEY DOCKET NO.:</p> <p>R0367-01601</p>	<p>SERIAL NO.:</p> <p>10/658,911</p>
	<p>APPLICANTS:</p> <p>Burbank et al.</p>	<p>EXAMINER</p> <p>Joseph M. Pelham</p>
	<p>FILING DATE:</p> <p>September 10, 2003</p>	<p>GROUP ART UNIT:</p> <p>3742</p>

U.S. PATENT DOCUMENTS

† EXR INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	NAME	U.S. CLASS/ SUBCLASS	FILING DATE (if appropriate)
	A71	6,862,470	3/05	Burbank et al.		

FOREIGN PATENT DOCUMENTS

† EXR INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	COUNTRY	TRANSLATION (YES/NO)	

NON PATENT DOCUMENTS

† EXR INITIAL	*REF. #	Document Description (including Author, Title, Date, Publisher, Edition or Volume, Pertinent Pages)

EXAMINER'S SIGNATURE	DATE CONSIDERED
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† EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609.
Line through citation if not in conformance and not considered.
Include copy of this form in next communication to applicant.

* If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. 1.98(d).